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disclose notifying the transmitting host when the wireless receiving host is in handoff and when the wireless receiving is no longer in handoff. Moreover, Applicant respectfully submits that Gupta discloses a transmitting host being unaware of when the wireless receiving host is in handoff and when the wireless receiving host is no longer in handoff as evidenced by the passage of Gupta at page 187, column 1, second paragraph:

“to solve this problem, we propose to make TCP sender unaware of the occurrence of the motion by freezing all its retransmission timer and states. To do this, the BS is made to change the information in the TCP acknowledgements to make the sender interpret the event as a receiver's buffer depletion.” (emphasis added)

Furthermore, at page 187, column 2, paragraph 3, Gupta discloses:

“Once the handoff is completed, the old BS is notified by the new BS. The sender can come out from the persist mode if either an acknowledgement with the original advertised window value set is sent to the sender from either BSs or a new acknowledgement with the latest advertised window is sent from the MH upon receiving new packets after handoff.”

Applicant submits that these passages clearly disclose that the sender of Gupta comes out from the persist mode in response to receiving specific acknowledgements which have been arranged to be sent to the sender. The specific acknowledgements received are identical to those which would be sent in the event of a depletion of the receiver's buffer. The transmitting host cannot be said to have been notified of a handoff condition because the acknowledgements are indistinguishable from those generated when there is no change in handoff. Moreover, Gupta explicitly discloses that the TCP sender is unaware of the occurrence of the motion and hence must also be unaware of the occurrence of any handoff.

Applicant respectfully submits therefore that Gupta does not disclose all of the features of each of independent claims 1, 14, and 23. Applicant submits therefore that Gupta does not anticipate claim 1, claim 14, or claim 23, and respectfully requests that the Examiner withdraw the 35 U.S.C. 102(b) rejections thereof.

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With respect to claims 2-8, 10, 12, 13, and 15-22, for at least the reason that each of these claims depends from one of claims 1 or 14, Applicant respectfully submits that these claims also are not anticipated by Gupta *et al.*

In addition to the foregoing reasons, Applicant submits that each of claims 5, 6, 7, 8, and 10 recite features which are also not disclosed in Gupta *et al.*

Claim 5 recites "the wireless network including an indication in at least one acknowledgement packet of whether the wireless receiving host is in handoff or no longer in handoff". The passage is relied upon by the Examiner to reject claim 5 discloses an "advertised window (SND_WND)" indicator field, and not an indicator of handoff. Applicant submits that this feature of claim 5 is not disclosed in Gupta *et al.*

Claim 6 recites "the wireless network including an indication in at least one acknowledgement packet of whether the wireless receiving host is in handoff". For similar reasons to those given in respect of claim 5, Applicant submits that this feature of claim 6 is not disclosed in Gupta *et al.*

Claim 7 recites "immediately after determining that the wireless receiving host is in handoff, transmitting the local copy of the last received acknowledgement packet, the local copy indicating the wireless receiving host is in handoff", and also recites "immediately after determining that the wireless receiving host is no longer in handoff, transmitting the local copy of the last received acknowledgement packet, the local copy indicating the wireless receiving hosts is no longer in handoff." For at least the reason that Gupta *et al.* discloses a field in an acknowledgement packet which is only an indicator of the advertised window (SND_WND), Applicant submits that not all of the features of claim 7 are disclosed in Gupta *et al.*

Claim 8 recites "each acknowledgement packet includes an indication of whether the wireless receiving host is in handoff or no longer in handoff". For similar reasons to those given in respect of claim 5, Applicant submits that this feature of claim 8 is also not disclosed in Gupta *et al.*

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Claim 10 recites "notifying the transmitting host when the wireless receiving host is in handoff and when the wireless receiving host is no longer in handoff using acknowledgement packets is done using a TCP option in the acknowledgement packets." Applicant submits that Gupta *et al.* does not disclose the TCP option as claimed in claim 10.

Accordingly, for the reasons given hereinabove, Applicant respectfully requests the Examiner to withdraw the 35 U.S.C. 102(b) rejections to claims 2-8, 10, 12, 13, and 15-22.

The Examiner has rejected claim 9 under 35 U.S.C. 103(a) as being unpatentable over Gupta *et al.* in view of Connery *et al.* (U.S. Patent No. 5,937,169). The Examiner has stated that Gupta discloses "wherein notifying the transmitting host when the wireless receiving host is in handoff and when the wireless receiving host is no longer in handoff using acknowledgement packets" and relies upon this allegation to support the 35 U.S.C. 103(a) rejection. Applicant respectfully submits that for at least the same reasons as given above in respect of independent claims 1, 14, and 23, that Gupta does not disclose "wherein notifying the transmitting host when the wireless receiving host is in handoff and when the wireless receiving host is no longer in handoff using acknowledgement packets". Moreover, claim 9 recites that the notifying of the transmitting host is done using "a TCP flag in the acknowledgement packets." Applicant submits that Gupta *et al.* does not teach a TCP flag for handoff notification.

Accordingly, Applicant respectfully requests that the Examiner withdraw the 35 U.S.C. 103(a) rejection of claim 9.

Applicant notes with appreciation Examiner's indication that claim 11 would be allowable if re-written in independent form including all of the limitations of the base claim and any intervening claims, however, as it is Applicant's position that all of the claims of the present application are neither anticipated by Gupta nor obvious in view of Gupta and Connery, claim 11 is not being hereby amended.

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The Examiner is respectfully requested to pass this application to allowance but, if there are any outstanding issues, the Examiner is respectfully requested to telephone the undersigned.

Respectfully submitted,

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